

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHANIE JOSEPH and RYAN  
RUTHERFORD, on behalf of themselves and  
similarly situated employees,

Plaintiffs,

v.

QUALITY DINING, INC., and GRAYLING  
CORPORATION,

Defendants.

CIVIL ACTION  
NO. 16-1907

**ORDER**

**AND NOW**, this 21<sup>st</sup> day of March, 2017, upon consideration of Defendants' Motion to Dismiss (Doc. #9), and all supporting and opposing papers, after argument held, and for reasons more fully stated in the accompanying memorandum opinion, it is hereby **ORDERED** as follows:

1. Defendants' Motion to Dismiss is **GRANTED**.
2. If Plaintiffs wish to pursue their claims, they must do so in arbitration under the FAA, 9 U.S.C. §§ 3-4, as set forth in their arbitration agreements and incorporated rules; further, they must do so individually and are not entitled to proceed as a class or as representatives thereof.
3. The Clerk shall mark this case closed.
4. To the extent the sixteen opt-in plaintiffs have asserted any claims as putative class members, their claims are dismissed without prejudice.

**BY THE COURT:**

**/s/ Jeffrey L. Schmehl**  
Jeffrey L. Schmehl, J.